

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

RICK JEFFERS,

Plaintiff,

v.

CAROLYN W. COLVIN, Acting
Commissioner of Social Security,

Defendant.

CASE NO. C16-5723-RSM-MAT

REPORT AND RECOMMENDATION

Plaintiff filed a request to proceed *in forma pauperis* (IFP) in this case. (Dkt. 4.) By Order dated September 20, 2016, the Court advised plaintiff that, because he is incarcerated, he must complete the “Declaration and Application to Proceed [IFP] and Written Consent for Payment by a Prisoner Bringing a Civil Action,” and the “Acknowledgement and Authorization” form attached to that application. (Dkt. 5.) The Court directed plaintiff to submit the completed, proper IFP form within twenty days of the Court’s Order and advised him that failure to comply with this directive would result in denial of the application to proceed IFP and/or dismissal of this matter. (*See also* Dkt. 3 (requesting proper form in relation to first IFP application).)

To date, the Court has not received a response to its Order or a completed, proper IFP

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1 application from plaintiff. Accordingly, the Court recommends plaintiff's motion to proceed IFP
2 (Dkt. 4) be DENIED. This action should proceed only if plaintiff pays the \$400 filing fee within
3 **thirty (30) days** after entry of the Court's Order adopting this Report and Recommendation. If
4 no filing fee is paid within thirty days of the Court's Order, the Clerk should close the file.

5 DEADLINE FOR OBJECTIONS

6 Objections to this Report and Recommendation, if any, should be filed with the Clerk and
7 served upon all parties to this suit within **twenty-one (21) days** of the date on which this Report
8 and Recommendation is signed. Failure to file objections within the specified time may affect
9 your right to appeal. Objections should be noted for consideration on the District Judge's
10 motions calendar for the third Friday after they are filed. Responses to objections may be filed
11 within **fourteen (14) days** after service of objections. If no timely objections are filed, the
12 matter will be ready for consideration by the District Judge on **December 2, 2016**.

13 DATED this 4th day of November, 2016.

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16 Mary Alice Theiler
17 United States Magistrate Judge
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